

ORIGINAL

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7 *Attorneys for Plaintiff Alice N. Salas*

FILED
DISTRICT COURT OF GUAM

APR 18 2002

MARY L. MORAN
CLERK OF COURT

14

11 **IN THE UNITED STATES DISTRICT COURT**
12 **FOR THE TERRITORY OF GUAM**

14 ALICE N. SALAS

15 Plaintiff,

16 vs.

17 JAMES JI ENTERPRISE
18 JJ PACIFIC DEVELOPMENT
19 CORPORATION, JAMES JI,
and HUANG LEE,

20 Defendants.

CIVIL ACTION
CASE NO. 02-00002

DECLARATION
OF COUNSEL

22 I, Sandra D. Lynch, Esq., hereby declare that:

23 1. I am counsel for the Plaintiff Alice N. Salas.

24 2. On April 8, 2002 I prepared and submitted to defendant Huang Lee, as agent for
25 JAMES JI ENTERPRISE and JJ PACIFIC DEVELOPMENT CORPORATION, my proposed
26 Scheduling Order.

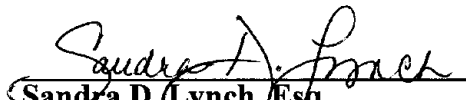
27 3. Since delivering a copy of the Amended Scheduling order to Mr. Lee's office, I have
28

1 requested comments on the proposals. To date, I have heard nothing regarding the same.

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3 Respectfully submitted this 17th day of April, 2002.

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5 **BROOKS LYNCH TYDINGCO & QUAN LLP**

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8 By:


9 **Sandra D. Lynch, Esq.**
10 Attorneys for Plaintiff Alice N. Salas

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28 *Alice N. Salas vs. James Ji Enterprise, et al.*
Civil Case No. 02-00002
Declaration of Counsel

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the Counsel's Declaration was served by facsimile and hand delivery on April 18, 2002 to Defendants, at 378 Machaute Street, Route 8, Maite, Guam.

By: 
Sandra D. Lynch, Esq.

Alice N. Salas vs. James Ji Enterprise, et al.
Civil Case No. 02-00002
Declaration of Counsel

1 SANDRA D. LYNCH, ESQ.
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4 *Attorneys for Alice N. Salas*

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10 **IN THE UNITED STATES DISTRICT COURT**
DISTRICT OF GUAM

11 ALICE N. SALAS)

12 Plaintiff,)

13 vs.)

14 JAMES JI ENTERPRISE,)
15 JJ PACIFIC DEVELOPMENT)
16 CORPORATION, JAMES JI,)
and HUANG LEE,)

17 Defendants.)
18

CIVIL CASE NO. 02-00002

SCHEDULING ORDER

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20 Pursuant to Rules 16 and 26(f) of the Federal Rules of Civil Procedure, and Local Rule
21 16.1 for the District Court of Guam, the parties hereby submit the following Scheduling Order:

22 1. The nature of the case is as follows: Plaintiff filed suit against her former employers,
23 James Ji Enterprises, their affiliates and their agents, under Title 28, United States Code
24 [hereinafter 28 USC] Section 1875, et seq., alleging that she was unlawfully discharged from her
25 employment as a result of her federal jury service.

26 2. There are no motions filed or pending in this matter. Discovery has not been initiated
27 by either party at this time.

28 3. All motions to add parties and claims shall be filed on or before **May 23, 2002** and

1 heard on **June 21, 2002.**

2 4. All motions to amend pleadings shall be filed on or before **May 23, 2002** and heard on
3 **June 21, 2002.**

4 5. Status of Discovery:

5 a) The times for disclosures under Rules 26(a) and 26(e) of the
6 Federal Rules of Civil Procedure are modified as follows:

7 1. The "Initial Disclosures" described in subsections (A), (B), (C) and
8 (D) of FRCP Rule 26(a)(1) have not yet been exchanged. [Pursuant
9 to local rule, these are not to be filed].

10 2. The "Disclosure of Expert Testimony" as required under FRCP
11 Rule 26(a) shall be made at least 90 days before the trial date or by
12 **July 9, 2002.**

13 3. The "Pretrial Disclosures" described in FRCP Rule 26(a)(3)(A), (B)
14 and (C) shall be made at least 30 days before the trial date or by
15 **September 6, 2002.**

16 b) The following is a description and schedule of all pretrial discovery each
17 party intends to initiate prior to the close of discovery:

18 Plaintiff: Interrogatories; Requests to Produce, Admissions, and depositions
19 of management, owners, and employees

20 Defendant: Deposition of Plaintiff

21 6. The parties shall appear before the District Court on **May 7, 2002 at 3:15 p.m.** for the
22 Scheduling Conference.

23 7. The discovery cut-off date (defined as the last day to file responses to discovery) is
24 **June 17, 2002.**

25 8. The anticipated discovery motions are Motions to Compel from either party. All
26 discovery motions shall be filed on or before **June 28, 2002** and heard on or **before July 19,**
27 **2002.** The anticipated dispositive motions are Motions for Summary Judgment by either party.
28 All dispositive motions shall be filed on or before **July 26, 2002** and heard on or before **August**
16, 2002.

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1 9. The prospects for settlement are unknown at this time.

2 10. The Preliminary Pretrial Conference shall be held on **September 13, 2002 at 3:15**
3 **p.m.** (no later than twenty-one (21) days prior to trial).

4 11. The parties' pretrial materials, discovery material, witness lists, designations
5 and exhibit lists shall be filed on or before **September 23, 2002** (no later than fourteen (14) days
6 prior to trial).

7 12. The Proposed Pretrial Order shall be filed on or before **September 23, 2002** (no later
8 than fourteen (14) days prior to trial).

9 13. The Final Pretrial Conference shall be held on **September 30, 2002** (seven (7) days
10 prior to trial).

11 14. The trial shall be held on **October 7, 2002, at 9:00 a.m.** (in no event shall the trial be
12 later than 18 months after the complaint is filed, unless the Court otherwise allows).

13 15. The trial is not a jury trial.

14 16. It is anticipated that it will take **2 days** to try this case.

15 17. The names of counsel on this case are:

16
17 For Plaintiff: Sandra D. Lynch
18 Brooks Lynch & Tydingco LLP
19 251 Martyr Street, Suite 101
20 Agana, Guam 96910
21 Telephone: (671) 472-6848

22 For Defendants: Pro Se

23 18. The parties wish to submit this case to a settlement conference.

24 19. The parties suggest that they Stipulate in advance to an interpreter to shorten the trial.

25 20. The following issues will also affect the status or management of the case:

26 At least one of the defendants is an off island resident.

27 Some of the defendants and witnesses are not fluent in English and require

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Scheduling Order

1 interpretation of the spoken and written word.

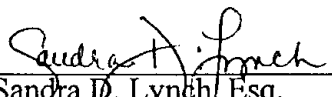
2 DATED this ____ day of April, 2002.

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5
6 JOHN S. UNPINGCO
Chief District Judge

7 *APPROVED AS TO FORM AND CONTENT:*

8 For Plaintiff

For Defendant James Ji Enterprises

9
10 
Sandra D. Lynch, Esq.
Brooks Lynch & Tydingco LLP

11 For Defendant JJ Pacific Development Corp.

For Defendant James Ji

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14 For Defendant Huang Lee

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27 *Alice Salas vs. JJ Pacific Development, et al.*
Civil Case No. CV02-00002
28 *Scheduling Order*